

2007 DRAFTING REQUEST**Assembly Amendment (AA-ASA1-SB40)**Received: **06/28/2007**Received By: **rryan**Wanted: **As time permits**

Identical to LRB:

For: **Legislative Fiscal Bureau**By/Representing: **Hotynski**This file may be shown to any legislator: **NO**Drafter: **rryan**

May Contact:

Addl. Drafters:

Subject: **Health - long-term care**Extra Copies: **DAK**Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to:

Pre Topic:

LFB:.....Hotynski -

Topic:

Family Care

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							
/1	rryan	wjackson	jfrantze	_____	mbarman		
	06/28/2007	06/28/2007	06/28/2007	_____	06/29/2007		
	rryan	wjackson		_____			
	07/03/2007	07/03/2007		_____			
/2			pgreensl	_____	lparisi		
			07/03/2007	_____	07/03/2007		

FE Sent For:

<END>

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Eliminate all changes to Family Care

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/?							
/1	rryan 06/28/2007	wjackson 06/28/2007	jfrantze 06/28/2007	<u>1/3</u>	mbarman 06/29/2007		

FE Sent For:

<END>

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/?	rryan	1/1 wly 6/28	Jb 6/28	JSL 6/28			

FE Sent For:

<END>



State of Wisconsin
2007 - 2008 LEGISLATURE

LRBb08377

RLR:.....

Wlj

RMR
D-N

LFB:.....Hotynski - Eliminate all changes to Family Care

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

**ASSEMBLY AMENDMENT ,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2007 SENATE BILL 40**

- 1 At the locations indicated, amend the substitute amendment as follows:
- 2 ✓ 1. Page 15, line 17: delete "family long-term" and substitute "family".
- 3 ✓ 2. Page 16, line 1: delete lines 1 to 8.
- 4 ✓ 3. Page 56, line 24: delete the material beginning with that line and ending
5 with page 57, line 14.
- 6 ✓ 4. Page 72, line 4: delete "family long-term" and substitute "family".
- 7 ✓ 5. Page 73, line 24: delete "family long-term" and substitute "family".
- 8 6. Page 186, line 8: decrease the dollar amount for fiscal year 2007-08 by
9 \$20,600 and decrease the dollar amount for fiscal year 2008-09 by \$25,600 for the

1 purpose of decreasing the authorized FTE positions for the Board on Aging and
2 Long-Term Care by 0.5 GPR position.

3 ✓ **7.** Page 193, line 11: decrease the dollar amount for fiscal year 2007-08 by
4 \$700,700 and decrease the dollar amount for fiscal year 2008-09 by \$5,031,800 for
5 the purpose of maintaining current law for the Family Care Program.

6 ✓ **8.** Page 199, line 10: decrease the dollar amount for fiscal year 2007-08 by
7 \$167,600 and decrease the dollar amount for fiscal year 2008-09 by \$275,500 for the
8 purpose of maintaining current law for the Family Care Program.

9 ✓ **9.** Page 201, line 3: increase the dollar amount for fiscal year 2007-08 by
10 \$7,278,100 and decrease the dollar amount for fiscal year 2008-09 by \$6,310,700 for
11 the purpose of maintaining current law for the Family Care Program.

12 ✓ **10.** Page 202, line 7: delete lines 7 to 8.

13 ✓ **11.** Page 353, line 25: delete the material beginning with that line and ending
14 with page 354, line 16.

15 ✓ **12.** Page 355, line 1: delete lines 1 to 7.

16 ✓ **13.** Page 412, line 17: delete lines 17 to 24.

17 ✓ **14.** Page 413, line 1: delete lines 1 to 3.

18 ✓ **15.** Page 438, line 20: delete "family long-term" and substitute "family".

✓ 19 ✓ **16.** Page 483, line 17: delete the material beginning with that line and ending
20 with page 484, line 25.

21 ✓ **17.** Page 508, line 8: delete lines 8 to 25.

22 ✓ **18.** Page 509, line 16: delete the material beginning with that line and ending
23 with page 510, line 8.

1 ✓ **19.** Page 514, line 13: delete the material beginning with that line and ending
2 with page 515, line 5.

3 ✓ **20.** Page 519, line 6: delete lines 6 to 23.

4 ✓ **21.** Page 526, line 14: delete the material beginning with that line and ending
5 with page ~~527~~, line ~~56~~ ^{528, line 20}

6 ✓ **22.** Page 527, line 6: delete lines 6 to 23.

7 **23.** Page 527, line 24: delete the material beginning with that line and ending
8 with page 528, line 4.

9 ✓ **24.** Page 528, line 5: delete lines 5 to 20.

10 ✓ **25.** Page 530, line 7: delete that line.

11 ✓ **26.** Page 530, line ~~8~~ ⁷: delete lines ~~8~~ ⁷ to 10.

12 ✓ **27.** Page 530, line 21: delete the material beginning with that line and ending
13 with page 531, line 2.

14 ✓ **28.** Page 531, line 10: delete that line.

15 ✓ **29.** Page 532, line 7: delete lines 7 to 13.

✓ 16 ✓ **30.** Page 533, line 7: delete the material beginning with that line and ending
17 with page 544, line 21.

18 ✓ **31.** Page 545, line 1: delete the material beginning with that line and ending
19 with page 546, line 8.

✓ 20 ✓ **32.** Page 546, line 15: delete the material beginning with that line and ending
21 with page 549, line 24.

1 ✓ **33.** Page 550, line 8: delete the material beginning with that line and ending
2 with page 553, line 10.

3 ✓ **34.** Page 553, line 14: delete the material beginning with that line and ending
4 with page 564, line 15.

5 ✓ **35.** Page 569, line 20: delete the material beginning with that line and ending
6 with page 570, line 20.

7 ✓ **36.** Page 577, line 9: delete the material beginning with that line and ending
8 on page 578, line 5.

9 ✓ **37.** Page 578, line 6: delete lines 6 ^{and} ~~to~~ 7 and substitute:

10 "SECTION ⁸ ~~1126~~ 46.495 (1) (d) of the statutes is amended to read:"

11 ✓ **38.** Page 578, line 21: substitute "46.40 (9) (a)" for "46.40 (9) (ar)".

12 ✓ **39.** Page 696, line 20: delete lines 20 to 23.

13 ✗ **40.** Page 721, line 17: delete lines 17 to 23.

14 ✗ **41.** Page 722, line 7: delete "(1) (e) (1d)" and substitute "(1) (c)".

15 ✓ **42.** Page 724, line 11: delete lines 11 to 20.

16 ✓ **43.** Page 800, line 1: delete the material beginning with that line and ending
17 with page ⁸⁰⁴ ~~801~~, line ²³ ~~12~~.

18 **44.** Page 801, line 13: delete lines 13 to 24.

19 **45.** Page 801, line 25: delete the material beginning with that line and ending
20 with page ⁸⁰⁴ ~~802~~, line ²³ ~~22~~.

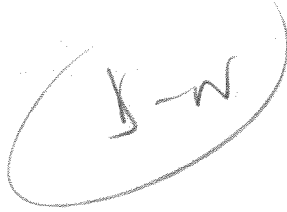
21 **46.** Page 802, line 23: delete the material beginning with that line and ending
22 with page 803, line 9.

- 1 **47.** Page 803, line 10: delete lines 10 to 17.
- 2 **48.** Page 803, line 18: delete the material beginning with that line and ending
3 with page 804, line 23.
- 4 ✓ **49.** Page 806, line 5: delete that line.
- 5 ✓ **50.** Page 807, line 8: delete that line.
- 6 ✓ **51.** Page 807, line 9: delete lines 9 to 12.
- 7 ✓ **52.** Page 811, line 16: delete the material beginning with that line and ending
8 with page ⁸¹³ ~~812~~, line ¹⁶ ~~6~~.
- 9 ✓ **53.** Page 812, line 7: delete lines 7 to 25.
- 10 ✓ **54.** Page 813, line 1: delete lines 1 to 16.
- ↓ 11 ✓ **55.** Page 833, line 22: delete the material beginning with that line and ending
12 with page 834, line 21.
- 13 ✓ **56.** Page 841, line 8: delete lines 8 to 20.
- 14 ✓ **57.** Page 842, line 19: delete the material beginning with that line and ending
15 with page 843, line 9.
- 16 ↓ **58.** Page 922, line 23: delete the material beginning with that line and ending
17 with page 923, line 2.
- 18 ✓ **59.** Page 1210, line 17: delete lines 17 to 22.
- 19 ✓ **60.** Page 1220, line 21: delete the material beginning with that line and
20 ending with page 1221, line 3.
- 21 ✓ **61.** Page 1221, line 17: delete lines 17 to 22.
- 22 ✓ **62.** Page 1228, line 10: delete lines 10 to 17.

- ① ✓ **63.** Page 1504, line 3: delete lines 3 ^{and} to 4.
- 2 ✓ **64.** Page 1577, line 12: delete lines 12 to 17.
- 3 ✓ **65.** Page 1658, line 14: delete lines 14 to 16.
- ④ ✓ **66.** Page 1671, line 7: delete lines 7 ^{and} to 8.
- 5 ✓ **67.** Page 1671, line 13: delete lines 13 to 15.

6

(END)



DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0837/1dn

RLR:/.....

WLj

This draft eliminates all changes to the Family Care Program. It also eliminates funding and position authority for the Board on Aging and Long-Term Care to provide ombudsman services to family care enrollees.

Please note that this amendment restores the current-law requirement that by January 1, 2008, DHFS extend entitlement to Family Care to certain persons who are eligible for Family Care but are not eligible for Medical Assistance.

Robin Ryan

Legislative Attorney

Phone: (608) 261-6927

E-mail: robin.ryan@legis.wisconsin.gov

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBb0837/1dn
RLR:wlj:jf

June 28, 2007

This draft eliminates all changes to the Family Care Program. It also eliminates funding and position authority for the Board on Aging and Long-Term Care to provide ombudsman services to family care enrollees.

Please note that this amendment restores the current-law requirement that by January 1, 2008, DHFS extend entitlement to Family Care to certain persons who are eligible for Family Care but are not eligible for Medical Assistance.

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State of Wisconsin
2007 - 2008 LEGISLATURE

LRBb0837/1
RLR:wlj:jf

Request sheet has
been changed.

Stays

RMR

D-N

LFB:.....Hotynski - Eliminate all changes to Family Care

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

**ASSEMBLY AMENDMENT ,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2007 SENATE BILL 40**

- 1 At the locations indicated, amend the substitute amendment as follows:
- 2 **1.** Page 15, line 17: delete "family long-term" and substitute "family".
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- 5 with page 57, line 14.
- 6 **4.** Page 72, line 4: delete "family long-term" and substitute "family".
- 7 **5.** Page 73, line 24: delete "family long-term" and substitute "family".
- 8 **6.** Page 186, line 8: decrease the dollar amount for fiscal year 2007-08 by
- 9 \$20,600 and decrease the dollar amount for fiscal year 2008-09 by \$25,600 for the

purpose of decreasing the authorized FTE positions for the Board on Aging and Long-Term Care by 0.5 GPR position.

7. Page 193, line 11: decrease the dollar amount for fiscal year 2007-08 by \$700,700 and decrease the dollar amount for fiscal year 2008-09 by \$5,031,800 for the purpose of maintaining current law for the Family Care Program.

8. Page 199, line 10: decrease the dollar amount for fiscal year 2007-08 by \$167,600 and decrease the dollar amount for fiscal year 2008-09 by \$275,500 for the purpose of maintaining current law for the Family Care Program.

9. Page 201, line 3: increase the dollar amount for fiscal year 2007-08 by \$7,278,100 and decrease the dollar amount for fiscal year 2008-09 by \$6,310,700 for the purpose of maintaining current law for the Family Care Program.

10. Page 202, line 7: delete lines 7 to 8.

11. Page 353, line 25: delete the material beginning with that line and ending with page 354, line 16.

12. Page 355, line 1: delete lines 1 to 7.

13. Page 412, line 17: delete lines 17 to 24.

14. Page 413, line 1: delete lines 1 to 3.

15. Page 438, line 20: delete "~~family long-term~~" and substitute "family".

16. Page 483, line 17: delete the material beginning with that line and ending with page 484, line 25.

17. Page 508, line 8: delete lines 8 to 25.

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2 with page 515, line 5.

3 **20.** Page 519, line 6: delete lines 6 to 23.

4 **21.** Page 526, line 14: delete the material beginning with that line and ending
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6 **22.** Page 530, line 7: delete lines 7 to 10.

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10 **25.** Page 532, line 7: delete lines 7 to 13.

11 **26.** Page 533, line 7: delete the material beginning with that line and ending
12 with page 544, line 21.

13 **27.** Page 545, line 1: delete the material beginning with that line and ending
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17 **29.** Page 550, line 8: delete the material beginning with that line and ending
18 with page 553, line 10.

19 **30.** Page 553, line 14: delete the material beginning with that line and ending
20 with page 564, line 15.

21 **31.** Page 569, line 20: delete the material beginning with that line and ending
22 with page 570, line 20.

INS
3-10

1 **32.** Page 577, line 9: delete the material beginning with that line and ending
2 on page 578, line 5.

3 **33.** Page 578, line 6: delete lines 6 and 7 and substitute:

4 “**SECTION 1126p.** 46.495 (1) (d) of the statutes is amended to read:”.

5 **34.** Page 578, line 21: substitute “46.40 (9) (a)” for “46.40 (9) (ar)”.

6 **35.** Page 696, line 20: delete lines 20 to 23.

7 **36.** Page 721, line 17: delete lines 17 to 23.

8 **37.** Page 722, line 7: delete “(1)-(e) (1d)” and substitute “(1) (c)”.

9 **38.** Page 724, line 11: delete lines 11 to 20.

10 **39.** Page 800, line 1: delete the material beginning with that line and ending
11 with page 804, line 23.

12 **40.** Page 806, line 5: delete that line.

13 **41.** Page 807, line 8: delete that line.

14 **42.** Page 807, line 9: delete lines 9 to 12.

15 **43.** Page 811, line 16: delete the material beginning with that line and ending
16 with page 813, line 16.

17 **44.** Page 833, line 22: delete the material beginning with that line and ending
18 with page 834, line 21.

19 **45.** Page 841, line 8: delete lines 8 to 20.

20 **46.** Page 842, line 19: delete the material beginning with that line and ending
21 with page 843, line 9.

1 **47.** Page 922, line 23: delete the material beginning with that line and ending
2 with page 923, line 2.

3 **48.** Page 1210, line 17: delete lines 17 to 22.

4 **49.** Page 1220, line 21: delete the material beginning with that line and
5 ending with page 1221, line 3.

6 **50.** Page 1221, line 17: delete lines 17 to 22.

7 **51.** Page 1228, line 10: delete lines 10 to 17.

8 **52.** Page 1504, line 3: delete lines 3 and 4.

9 **53.** Page 1577, line 12: delete lines 12 to 17.

10 **54.** Page 1658, line 14: delete lines 14 to 16.

11 **55.** Page 1671, line 7: delete lines 7 and 8.

12 **56.** Page 1671, line 13: delete lines 13 to 15.

(END)

INS
5-12

2007-2008 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0837/2ins
RLR:.....

Ins 3-10:

~~1.~~ Page 533, line 7: delete the material beginning with that line and ending with page 537, line 2.

✓ **2.** Page 537, line 3: after that line insert:

“**SECTION 952g.** 46.281 (1) (j) of the statutes is created to read:

46.281 (1) (j) Contract with a person to provide the advocacy services described under s. 16.009 (2) (p) 1. to 5. to actual or potential recipients of the family care benefit who are under age 60 or to their families or guardians. The department may not contract under this paragraph with a county or with a person who has a contract with the department to provide services under s. 46.283 (3) and (4) as a resource center or to administer the family care benefit as a care management organization. The contract under this paragraph shall include as a goal that the provider of advocacy services provide one advocate for every 2,500 individuals under age 60 who receive the family care benefit. The department shall allocate \$190,000 for the contract under this paragraph in fiscal year 2007-08 and \$525,000 in each subsequent fiscal year.”.

✓ **3.** Page 537, line 4: delete the material beginning with that line and ending with page 544, line 19.

✓ **4.** Page 545, line 1: delete the material beginning with that line and ending with page 546, line 8.

✓ **5.** Page 546, line 15: delete the material beginning with that line and ending with page 549, line 2.

1 ~~6.~~ Page 549, line 17: delete lines 17 to 24.

2 ~~7.~~ Page 550, line 2: substitute "(7) (b) and (bd), the" for "(7) (b) ~~and~~, (bd), and

3 (g), the".

4 ~~8.~~ Page 550, line 8: delete the material beginning with that line and ending

5 with page 551, line 13.

6 ~~9.~~ Page 552, line 24: delete lines 24 and 25 and substitute: No ff

7 "developmental disability, as defined in s. 51.01 (5) (a), or degenerative brain

8 disorder, as defined in s. 55.01 (1v)". score single

9 ~~10.~~ Page 553, line 22 delete the material beginning with that line and ending

10 with page 564, line 15.

11

12

13 **Ins 5-12:**

14 ~~11.~~ Page 1671, line 15: after that line insert:

15 EFF DATE 9i "(?) ~~FAMILY CARE~~ LEVEL OF CARE NEED. The treatment of section 46.286 (1) (a) 1.

16 of the statutes takes effect on January 1, 2008."

17

7/2/07

Family Care

- Keep ombudsman contract for ~~SD~~
(BOALTC dealt with in 60835)
- Keep any willing provider requirement
(§997m)
- Keep nursing home / non-nursing home
level of care, category title
(§1004)
- Eliminate entitlement as in JFC
(LRB-0333)

including 1/1/08
effective date
that was added
in Senate

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb08372dn

RLR:.....

Wlj

This amendment deletes all the changes to Family Care that are included in the Joint Finance substitute amendment except the following:

1. The requirement that DHFS contract for ombudsman services for family care participants who are developmentally disabled.
2. The requirement that care management organizations contract with any willing provider.
3. The titling of the functional care level needs as "nursing home" and "non-nursing home" level of care (effective January 1, 2008).
4. The elimination of entitlement to Family Care for persons who are not eligible for MA.

Robin Ryan
Legislative Attorney
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E-mail: robin.ryan@legis.wisconsin.gov



State of Wisconsin
2007 - 2008 LEGISLATURE

LRBb0837/2
RLR:wlj:pg

LFB:.....Hotynski - Family Care

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION
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17 center or to administer the family care benefit as a care management organization.
18 The contract under this paragraph shall include as a goal that the provider of
19 advocacy services provide one advocate for every 2,500 individuals under age 60 who
20 receive the family care benefit. The department shall allocate \$190,000 for the
21 contract under this paragraph in fiscal year 2007-08 and \$525,000 in each
22 subsequent fiscal year.”.

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5 **29.** Page 546, line 15: delete the material beginning with that line and ending
6 with page 549, line 2.

7 **30.** Page 549, line 17: delete lines 17 to 24.

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13 disability, as defined in s. 51.01 (5) (a), or degenerative brain disorder, as defined in
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19 **36.** Page 577, line 9: delete the material beginning with that line and ending
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8 **45.** Page 807, line 8: delete that line.

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15 **50.** Page 842, line 19: delete the material beginning with that line and ending
16 with page 843, line 9.

17 **51.** Page 922, line 23: delete the material beginning with that line and ending
18 with page 923, line 2.

19 **52.** Page 1210, line 17: delete lines 17 to 22.

20 **53.** Page 1220, line 21: delete the material beginning with that line and
21 ending with page 1221, line 3.

22 **54.** Page 1221, line 17: delete lines 17 to 22.

1 **55.** Page 1228, line 10: delete lines 10 to 17.

2 **56.** Page 1504, line 3: delete lines 3 and 4.

3 **57.** Page 1577, line 12: delete lines 12 to 17.

4 **58.** Page 1671, line 7: delete lines 7 and 8.

5 **59.** Page 1671, line 13: delete lines 13 to 15.

6 **60.** Page 1671, line 15: after that line insert:

7 “(9i) FAMILY CARE LEVEL OF CARE NEED. The treatment of section 46.286 (1) (a)
8 1. of the statutes takes effect on January 1, 2008.”.

9 **(END)**